

Notice of Allowability

Application No.

10/826,495

Examiner

Christopher R. Magee

Applicant(s)

URATA ET AL.

Art Unit

2627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment after final, 9/20/07.
2. ☒ The allowed claim(s) is/are 1-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Response to Amendment after Final

1. Applicant's request for reconsideration of the finality of the rejection of the last Office action is persuasive and, therefore, the finality of that action is withdrawn.
2. Claims 11 and 12 have been cancelled in the amendment after final, dated 9/20/2007.

Reasons for Allowance

3. Claims 1-10 are allowed.

The following is an examiner's statement of reasons for allowance:

This application is for an OPTICAL DISK DRIVE.

- **Claim 1** specifies an optical disk drive, which requires:

"a repetitive structure formed on edge portions of the plate member and extending along the direction crossing the disk tracks, the repetitive structure creating space having a high resistance to air flow and space having a low resistance to air flow, and rectifying the air flow generated during disk rotation above the upper disk surface to suppress turbulence and enhance laminar flow."

- **Claim 10** specifies an optical disk drive, which requires:

"a repetitive structure formed on opposite end portions of the opening and extending along the direction crossing disk tracks, the repetitive structure creating space having a high resistance to air flow and space having a low resistance to air flow, and rectifying the air flow generated during disk rotation above the upper disk surface to suppress turbulence and enhance laminar flow and having a wave shape as viewed in plan."

The closest prior art of record, Mayumi, fails to teach, show or suggest, by either anticipating or rendering obvious, the invention as set forth in the claims of the instant

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application. Furthermore, a search made does not detect the combined claimed elements as set forth in the pending claims. Additionally, the reasons for allowance of the claims over the prior art of record is believed to be readily clear, self evident and apparent from the claim language set forth in each of claims 1 and 10, when compared and contrasted with the prior art.

More particularly, the instant invention (as set forth in claims 1 and 10) provides for an optical disk drive having a repetitive structure formed on edge portions of the plate member and extending along the direction crossing the disk tracks, the repetitive structure creating space having a high resistance to air flow and space having a low resistance to air flow, and rectifying the air flow generated during disk rotation above the upper disk surface to suppress turbulence and enhance laminar flow and having a wave shape. None of the cited prior art of record disclose such a repetitive structure, as set forth in the manner, function and relationship relative to other claimed structures as prescribed by the independent claims.

Therefore, these features, in combination with other features of claims 1 and 10, are not anticipated by, nor made obvious over, the closest prior art of record of Mayumi.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher R. Magee whose telephone number is (571) 272-7592. The examiner can normally be reached on M-F, 8: 00 am-4: 30 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


ANGEL CASTRO
PRIMARY EXAMINER


Christopher R. Magee
Patent Examiner
Art Unit 2627

September 27, 2007
crm